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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/848,931	05/04/2001	Robert J. Feilbogen	10251-037	7100
7590 Proskauer Rose LLP Patent Department 1585 Broadway New York, NY 10036			EXAMINER NGUYEN, NGA B	
			ART UNIT 3692	PAPER NUMBER

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/27/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	<b>Application No.</b> 09/848,931	<b>Applicant(s)</b> FEILBOGEN ET AL.	
	<b>Examiner</b> Nga B. Nguyen	<b>Art Unit</b> 3692	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 15 September 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-57 is/are pending in the application.
- 4a) Of the above claim(s) 1-43 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 44-57 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. This Office Action is the answer to the communication filed on September 8, 2006, which paper has been placed of record in the file.
2. Claims 44-57 are elected for consideration.

### ***Response to Arguments/Amendment***

3. Applicant's election without traverse of Group II (claims 44-57) in the reply filed on September 8, 2006 is acknowledged.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 44-57 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wilson, U.S. Patent No. 5,864,827, in view of Symonds et al (hereinafter Symonds), U.S. Patent No. 6,039,245.

Regarding to claim 44, Wilson discloses a system for electronically exchanging data related to financial transactions between a plurality of price providers which provides price quotes for trading financial instruments and executes trades and a plurality of customers of the price provider through a plurality of electronic portals, wherein at least two of the plurality of electronic portals are adapted to use one of

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multiple different standardized portal-specific data formats, and wherein a particular customer may use any of the plurality of electronic portals to which the customer has access to communicate with the price provider, the system comprising:

a gateway being linked to a corresponding one of the plurality of electronic portals, wherein the gateway translates data received from any of the plurality of electronic portals from a respective first standardized portal-specific format to a second standardized format, and for translating data received in the second standardized format from the price provider to the respective first standardized portal-specific format of the particular portal of the plurality of electronic portals to which the data is routed (figure 1; column 4, lines 30-50; column 7, lines 1-30, the gateway 1 translates the first transaction from FIX protocol into CMS protocol; the gateway 1 also translates the acknowledgment from the exchange's protocol (e.g. CMS protocol) into FIX protocol); and

a central transit point that links the gateways to the price provider and through which the normalized data is transmitted to the price provider (figure 1, column 6, lines 55-65, network connection uses the TCP/IP protocol).

Wilson does not disclose a plurality of gateways. However, Symonds disclose the use of plurality of gateways (figure 1 and column 6, lines 30-42, message gateway router or MGR 24, 25, operate to take incoming messages and to convert them into a common internal message format and also convert internal messages to external message formats needed to communicate with the various external authorization systems 18 and terminal devices 12). Therefore, it would have been obvious to one with

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ordinary skill in the art at the time the invention was made to modify Wilson's to adopt the teaching of Symonds above, for the purpose of providing more efficiency in messages communication between customers and the price providers, also preventing the data overload because using a plurality of gateways in converting messages, instead of only one gateway.

Regarding to claim 45, Wilson further discloses wherein the data that is exchanged between the price provider and the customers comprises at least one of a customer request for a price quote for a trade, a price quote provided by the price provider, a message relating to negotiation of a price for a trade between the customer and the price provider, an instruction to complete the trade, a trade detail data, or free-format text-based conversation (column 6, lines 30-50).

Regarding to claims 46-48, Wilson does not disclose a display at the price provider for displaying substantially simultaneously the data exchanged with at least two of the electronic portals; wherein the display comprises a graphical user interface for displaying data from the at least two electronic portals substantially simultaneously in separate windows on the display, at least two of the windows having a substantially identical user interface; wherein each of the plurality of electronic portals utilizes a respective portal-specific graphical user interface, wherein the system displays the data from the at least two electronic portals substantially simultaneously in separate windows on the display using the respective graphical user portal-specific interfaces, and wherein the system further comprises a set of uniform commands for interacting with the at least two electronic portals despite the different graphical user interfaces. However, such

features are well known in the art. Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify Wilson's to adopt the teaching of Symonds above, for the purpose of for the purpose of providing more efficiency and easier to track the data exchanged of different electronic portals.

Regarding to claim 49, Wilson further discloses an application program interface for presenting data in a normalized format to an internal computer system of the price provider (figure 1, NYSE or NASDAQ exchange).

Regarding to claim 50, Wilson further discloses wherein the internal computer system comprises an automated pricing engine that automatically generates a price quote in response to a request (figure 1, NYSE or NASDAQ exchange).

Regarding to claim 51, Wilson does not disclose an application program interface for presenting data in a normalized format to an internal computer system of a credit intermediary that extends credit to a customer. However, Symonds discloses an application program interface for presenting data in a normalized format to an internal computer system of a credit intermediary that extends credit to a customer (column 6, lines 10-20, external authorization systems 18). Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify Wilson's to adopt the teaching of Symonds above, for the purpose of providing more efficiency in messages communication between customers and the credit intermediary.

Regarding to claims 52-53, Symonds discloses a system for electronically exchanging data related to financial transactions between a plurality of price providers which provide price quotes for trading financial instruments and execute trades and a

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plurality of customers of the plurality of price providers through a plurality of electronic portals, wherein at least two of the plurality of electronic portals are adapted to use multiple different standardized portal-specific data formats, and wherein a particular customer may use any of the plurality of electronic portals to which the customer has access to communicate with the plurality of price providers, the system comprising:

a first gateway located at a first price provider, the first gateway adapted to communicate with each of the plurality of electronic portals using the standardized portal-specific format of each respective electronic portal of the plurality of electronic portals, wherein the first gateway translates data received in the standardized portal-specific format of each respective electronic portal to a standardized format of the first price provider and translates data received in the standardized format of the first price provider to the standardized portal-specific format of each respective electronic portal to which the data from the first price provider is routed (figure 1; column 4, lines 30-50; column 7, lines 1-30, the gateway 1 translates the first transaction from FIX protocol into CMS protocol; the gateway 1 also translates the acknowledgment from the exchange's protocol (e.g. CMS protocol) into FIX protocol).

Wilson does not disclose a second gateway located at a second price provider, the second gateway adapted to communicate with each of the plurality of electronic portals using the standardized portal-specific format of each respective electronic portal of the plurality of electronic portals, wherein the second gateway translates data received in the standardized portal-specific format of each respective electronic portal to a standardized format of the second price provider and translates data received in the

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standardized format of the second price provider to the standardized portal-specific format of each respective electronic portal to which the data from the second price provider is routed and a third gateway located at a credit intermediary, the third gateway adapted to communicate with each of the plurality of electronic portals using the standardized portal-specific format of each respective electronic portal of the plurality of electronic portals, wherein the third gateway translates data received in the standardized portal-specific format of each respective electronic portal to a standardized format of the credit intermediary and translates data received in the standardized format of the credit intermediary to the standardized portal-specific format of each respective electronic portal to which the data from the credit intermediary is routed. However, Symonds disclose the use of plurality of gateways (figure 1 and column 6, lines 30-42, message gateway router or MGR 24, 25, operate to take incoming messages and to convert them into a common internal message format and also convert internal messages to external message formats needed to communicate with the various external authorization systems 18 and terminal devices 12). Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify Wilson's to adopt the teaching of Symonds above, for the purpose of providing more efficiency in messages communication between customers and the price providers, also preventing the data overload because using a plurality of gateways in converting messages, instead of only one gateway.

Regarding to claims 54-57, Symonds further discloses wherein the third gateway is adapted to transmit data received from the first price provider, the second price



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provider, or both to the credit Intermediary, the third gateway translates data received in the standardized format of the first price provider or data received in the standardized format of the second price provider to the standardized format of the credit intermediary, the third gateway is adapted to transmit data received from the credit intermediary to the first price provider, the second price provider or both, the third gateway translates data received in the standardized format of the credit intermediary into the respective standardized format of the price provider to which the data is routed (figure 1 and column 6, lines 30-42, message gateway router or MGR 24, 25, operate to take incoming messages and to convert them into a common internal message format and also convert internal messages to external message formats needed to communicate with the various external authorization systems 18 and terminal devices 12). Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify Wilson's to adopt the teaching of Symonds above, for the purpose of providing more efficiency in messages communication between customers and the credit intermediary.

### ***Conclusion***

6. Claims **44-57** are rejected.
7. The prior arts made of record and not relied upon is considered pertinent to applicant's disclosure:

Young et al. (US 6,850,991) disclose systems and methods for distributing information to a diverse plurality of devices.

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8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Nga B. Nguyen whose telephone number is (571) 272-6796. The examiner can normally be reached on Monday-Thursday from 9:00AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor Richard E. Chilcot, can be reached on (571) 272-6777.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-3600.

9. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks  
C/o Technology Center 3600  
Washington, DC 20231

Or faxed to:

(571) 273-8300 (for formal communication intended for entry),

or


(571) 273-0325 (for informal or draft communication, please label "PROPOSED" or "DRAFT").

Hand-delivered responses should be brought to Knox building, 501 Dulany Street, Alexandria, VA, First Floor (Receptionist).

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A handwritten signature in cursive script, appearing to read 'Nga Nguyen', with a long horizontal flourish extending to the right.

NGA NGUYEN  
PRIMARY EXAMINER

November 20, 2006